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22 Attorneys for Plaintiff
23 MI-94, LLC, also known as
24 METALAST INTERNATIONAL LLC

25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27
28 MI-94, LLC,

Case No.: 2:23-cv-00647-CDS-DJA

Plaintiff

vs.

CHEMETALL US, INC., et al.,

Defendants

**STIPULATION AND ORDER
EXTENDING BRIEFING
SCHEDULE ON MOTIONS TO
DISMISS**

(FIRST REQUEST)

1 COMES NOW, Plaintiff MI-94 (“MI-94” or “Plaintiff”), on the one hand, and Defendants
 2 Albemarle Corporation, Chemetall US, Inc., BASF Corporation, Qualichem Inc., Miles Chemical
 3 Company, John Schneider & Associates, Inc., Broco Products, Inc., Southern Industrial Chemicals,
 4 Inc., Dean Meiling, Madylon Meiling, DSM Partners, LLC, and Chemeon Surface Technology
 5 (collectively “Defendants”), on the other hand, by and through their respective attorneys of record,
 6 and hereby agree and stipulate as follows:

7 Defendants in this matter have filed two Motions to Dismiss raising a variety of issues. In
 8 order to allow Plaintiff time to brief these issues and to allow Defendants an equivalent time to
 9 Reply, the parties have stipulated to extend the due date for the Oppositions and Replies by two
 10 weeks and respectfully request that the Court order as such.

11 1. On August 7, 2023 Defendant Albemarle Corporation filed a Motion to Dismiss
 12 raising five separate issues.

13 2. On August 7, 2023 Defendants Chemetall US, Inc., BASF Corporation, Qualichem
 14 Inc., Miles Chemical Company, John Schneider & Associates, Inc., Broco Products, Inc., Southern
 15 Industrial Chemicals, Inc., Dean Meiling, Madylon Meiling, DSM Partners, LLC, and Chemeon
 16 Surface Technology filed a Motion to Dismiss raising nine separate issues. (Both motions to
 17 dismiss are hereafter referred to as the “Motions”.)

18 3. Under LR 7-2(b), Plaintiff’s response to the Motions is due on August 21, 2023.

19 4. Under LR 7-2(b), the reply briefs to the Motions would be due on August 28, 2023.

20 In order to provide each party with additional time to brief these issues the parties have
 21 stipulated, and hereby respectfully request that this Court extend the briefing schedule by two
 22 weeks. Specifically, the parties stipulate that, if the Court agrees:

23 1. Plaintiff’s Oppositions to the Motions shall be filed on or before September 5, 2023.

24 2. Defendants’ Replies to these Oppositions shall be filed on or before September 26,
 25 2023.

26 3. This is the first stipulation for extension of time to brief the Motions to Dismiss,
 27 which is made in good faith and not for the purposes of delay.

28 **IT IS SO STIPULATED.**

1 Dated: August 14, 2023

EARLY SULLIVAN WRIGHT
GIZER & MCRAE LLP

2 By: /s/ Jeremy Gray

3 JEREMY J.F. GRAY
4 Attorneys for Plaintiff
5 MI-94, LLC, as successor to
6 METALAST INTERNATIONAL LLC

7 Dated: August 14, 2023

8 MCDONALD CARANO LLP

9 By: /s/ Adam Hosmer-Henner

10 ADAM HOSMER-HENNER
11 JANE SUSSKIND
12 Attorneys for Defendants Chemetall US, Inc.,
13 BASF Corporation, Qualichem Inc.,
14 Miles Chemical Company, John Schneider
15 and Associates Inc., Broco Products, Inc.,
16 Southern Industrial Chemicals, Inc., Dean
17 Meiling, Madylon Meiling, DSM Partners,
18 LLC, and Chemeon Surface Technology

19 Dated: August 14, 2023

20 PARSONS, BEHLE & LATIMER

21 By: /s/ Rew Goodenow

22 REW GOODENOW
23 Attorneys for Defendant Albemarle Corporation

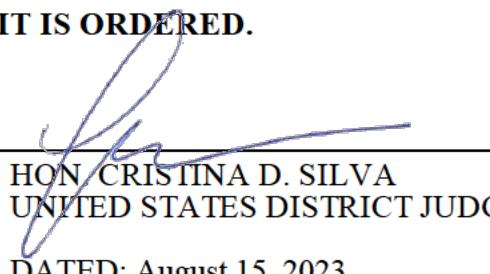
24 Dated: August 14, 2023

25 PHELPS DUNBAR LLP

26 By: /s/ R. Andrew Patty II

27 R. ANDREW PATTY II
LINDSAY CALHOUN
Attorneys for Defendant Albemarle Corporation

28 **IT IS ORDERED.**

29 By: 

30 HON. CRISTINA D. SILVA
31 UNITED STATES DISTRICT JUDGE

32 DATED: August 15, 2023